GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS - FD – Disciplinary action against Sri K.Isaiah, FBO(Retd.) formerly of Nandyal(WL) Division - Non effecting the punishment of "stoppage of one (1) increment with cumulative effect as ordered by PCCF due to retirement of the Charged Officer –Modification of penalty – To impose a penalty of 5% cut in pension for a period of one (1) year – Final Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.IV) DEPARTMENT

G.O.MS.No. 31 Dated: 22-03-2018
Read the following:

1)From the PCCF, A.P., Guntur, Lr. No.12821/2006/A&DC-1, Dated: 07-12-2016.
2)G.M.No.5993/Sec.IV/A2/2016, dt.29.05.2016.
3)From the PCCF, A.P., Guntur, Lr. Rc.No.12821/2014/A&DC-1, Dated: 02-02-2018.
4)Govt.Lr.No.5993/Sec.IV/A2/2016, dt.21.02.2018.
5)From the APPSC, Lr. No.161/DC&C/2018, dt.09.03.2018.

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ORDER:

In the reference 1st read above, the Principal Chief Conservator of Forests has informed that certain Article of Charges were framed against Sri K. Isaiah, Forest Beat Officer, formerly kotakonda Beat of Chelama Range of Wildlife Division, Nandyal on the following counts vide DFO., Wildlife Division, Nandyal, Rc.No.690(A)/2006/A2, dt:02.05.2006, under Rule 20 APCS (CC&A)Rules, 1991.

Article-1:-

"Earth works excavation of C.C.T's by machinery in violation of Prl. Chief Conservator of Forests, AP., Hyderabad circular instructions in Rc. No. 19427/2004/G1,dt: 02.08.2004".

Article-2:-

"Preparation of false vouchers, Recording of false M.B. booking of expenditure without execution of works in the field in kodakonda Beat, Misappropriation of Government funds, and connivance".

Article-3:-

"Booking of expenditure Rs.1,82,500/- without seeking sanctioned estimates and without execution of work on the ground, in violation of financial code Volume-VIII and Forest Department code".

Article -4:-

"Exploitation of poor people of kotakonda VSS and making of under payment of wage component to the labour of VSS.

Article-5:-

"Tampering with ground evidence, records and witnesses to escape from the clutches of Disciplinary Proceedings.

Article-6:-

"Moral Turpitude".

2. The Prl. Chief Conservator of Forests, Andhra Pradesh, Hyderabad appointed Common Inquiry Officer & the Presenting Officer since another (2) personnel were involved vide Proc.No.12821/2006/PXA-3(i&ii), dt:26.04.2007.

3. After conducting regular enquiry as per the procedure laid down under APCS(CC&A) Rules, 1991, the Inquiry Officer submitted findings vide CF, Kurnool, Rc.No.1795/2006/M3, dt:24.11.2008. Out of (6) charges, the Inquiry officer held (4) charges proved and (2) charges not proved.

(P.T.O.)

4. The Prl. Chief Conservator of Forests finalized the Disciplinary case and awarded a penalty of “withholding of next one annual grade increment with cumulative effect” vide PCCF, Proc. Dt:16.06.2010.

5. The PCCF has informed that while finalizing the above disciplinary case against Sri K.Isaiah, Forest Beat Officer, the above penalty was imposed while the Charged Officer was in Service i.e., just before fourteen (14) days of his retirement i.e., on 30.06.2010. Hence, the penalty imposed could not be implemented and the Government alone is the competent authority to modify the penalty imposed on a retired Govt. servant as per Rule (9) of A.P. Revised Pension Rules,1980.

6. Further, the PCCF has informed that details of other staff involved in this case and penalties awarded as follows:-

Sl.No	Name & designation of the Officer	Penalty imposed
1	Sri B.M. Chanakya Raju, then FRO	“withholding of next one annual grade increment with cumulative effect” vide PCCF.,A.P., Hyderabad Proc.Rc.No.12821/2006/K1-k3(i) dt: 16.06.2010.
2	Sri P.Katanna,Dy.RO(Retd.)	“2% cut in pension for a period of (2) years ”vide G.O.Ms.No. 11 EFS&T Deptt. Dt: 17.02.2012.

7. After careful examination of the matter, with reference to the findings of the Inquiry Officer, the remarks of the Prl. Chief Conservator of Forests, and material made available, Government have observed that the charges framed against the Charged Officer are held proved and provisionally decided to impose a penalty of 5% cut in pension for a period of (1) one year on the charged officer, Sri K. Isaiah, FBO(Retd), Nandyal (WL) Division, under rule 9 of A.P. Revised Pension Rules, 1980.

8. Accordingly, a Show-Cause-Notice was issued to the retired officer vide reference 2nd cited. The Charged Officer acknowledged the Show-Cause-Notice on 07.08.2017. The Retired Officer did not submit his further defence statement within the stipulated time.

9. Government after careful examination of the matter have decided to impose a penalty of 5% cut in pension for a period of (1) one year against the Charged Officer Sri K. Isaiah, FBO(Retd.), Nandyal (WL) Division, under rule 9 of A.P.Revised Pension Rules, 1980.

10. The Principal Chief Conservator of Forests, A.P., Guntur shall take action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests, A.P., Guntur.
The Individual (through the Principal Chief Conservator of Forests)
Copy to:
The Accountant General (A&E), A.P, Hyderabad.
The Director of Treasuries & Accounts, Ibrahimpatnam, Vijayawada.
The Secretary, A.P.Public Service Commission, Vijayawada.
The PS to Minister (EFS&T).
The PS to Principal Secretary (EFS&T).
Sf./Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER